

## REMARKS

Claims 1-3, 7-11, 13-15, 17 and 18 are currently active.

Claim 12 has been canceled.

The amendments to Claims 1 and 15 of heat plate 40 has antecedent support in the figures and Claim 12.

Replacement figures are enclosed.

The claims have been amended to obviate the 112 rejections.

The Examiner has rejected Claims 1-4, 6-11, 15, 17 and 18 as being unpatentable over Hutain in view of Goebel. Applicant respectfully traverses this rejection.

Referring to Hutain, there is disclosed an actively cooled lighting trim apparatus. In pertinent part, the Examiner states that baffle plate 134 meets the limitation of the metal heat plate disposed adjacent the housing top as found in Claim 1, as amended. Applicant respectfully traverses this statement. The specific teaching of Hutain is that there is

a baffle plate 134 which is secured within the outer wall 122 approximately midway between upper end 121a and lower end 121b. Baffle plate 134 has a generally circular central hole 135 through which the neck of a lamp may protrude. Affixed to the upper surface of baffle plate 134 and to the inside surface of outer wall 122 are plates that together define two separated generally cubit compartments within the tram housing 120. A fan mounting plate 136 is vertically affixed to the baffle plate 134 outward of the central hole 135. See column 5, line 62-column 6, line 3.

Hutain specifically teaches that a fan is used to provide cooling, and that is the only teaching in regard to controlling heat in Hutain.

Nowhere does Hutain teach that the baffle plate is metal, or that the baffle plate serves as a heat plate, or that the baffle plate is in contact with the housing top, or that the metal heat plate transmits heat away from the lamp socket. The Examiner is clearly reading these limitations into Hutain when they are not there.

The baffle plate 134 would never be considered or could be used as a metal heat plate because it is disposed approximately midway between upper end 121a and lower end 121b. See column 5, lines 63 and 64. The baffle plate is too far away from the top of the housing to be able to effectively conduct any heat of any type. This is even more clearly seen

by the fact that the surface area of the baffle plate 134 that actually contacts anything, is an extremely small surface area so that essentially no conduction of any type of heat could possibly occur. This follows, because Hutain specifically teaches that it is a fan that is actively blowing air in the housing that cools the lamps. Because of the fan, there is no need of any type of metal heat plate that transmits heat away from the lamp sockets.

Besides these simple engineering facts, Hutain just fails to teach or suggest anywhere the baffle plate 134 has anything at all to do with heat transmission.

Goebel is totally silent in regard to heat transmission.

Goebel teaches in fixture unit D there is provided a circular ballast housing, generally indicated at 59, which supports therein the usual ballast. Around the housing are members 60 which support circular fluorescent lighting tube 61. Depending from the bottom of the ballast housing 59 are a plurality of metal straps 62 which are secured to gimbal ring generally indicated as 63. Similarly supported within said gimbal ring is a flood lamp 64. See column 7, lines 34-50. It is respectfully submitted that nowhere does Goebel teach a transformer. As is clear from the above teaching from Goebel, the numeral 59 refers to a ballast, not a transformer, and supports the fluorescent lighting 61, and not the flood lamp 64.

Ballast is necessary for a fluorescent light, not a low voltage or line voltage lamp. A ballast is not a transformer.

Goebel teaches that the ballast is used to support the fluorescent lighting 61. There is no teaching or suggestion whatsoever regarding the flood lamp 64, and that there is any need whatsoever for a transformer for the flood lamp 64. Furthermore, there is no teaching or suggestion that the flood lamp 64 is low voltage or line voltage, as is a required limitation of Claim 1. By the date of Goebel, 1953, it is highly unlikely that the flood lamp was low voltage or line voltage, let alone any need for a transformer because in 1953, the technology was such that as far as the applicant knows, a low voltage or line voltage lamp which required a transformer, as found in applicant's claimed invention, did not yet exist.

Accordingly, because there is no teaching or suggestion of any type of transformer, there is no teaching or suggestion of a low voltage or a line voltage lamp, and there is no teaching or suggestion of a transformer that is used in conjunction with the low voltage or line voltage lamp.

Claims 1-3, 7 and 11-14 depend on Claim 1 and are patentable for the reasons Claim 1 is patentable.

Claim 15 is patentable for the reasons Claim 1 is patentable. Claims 17 and 18 are dependent to parent Claim 15 and are patentable for the reasons Claim 15 is patentable.

In view of the foregoing remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1-3, 7-11, 13-15, 17 and 18, now in this application be allowed.

Respectfully submitted,

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